

Head Quarters Department of S. C. Part Fla.  
Charleston S. C. July 4<sup>th</sup> 1863

Blumre  
A.

ig Genl  
Commanding  
General.

S. Forces,  
Fort Royal  
S. C.

In the interest of humanity it seems to be my duty to address you, with a view to effecting some understanding, as to the future conduct of the war in this quarter.

You are aware, of course, of the fact, that on or about the 1<sup>st</sup> ultimo, an expedition, set on foot by your predecessor in Command, Major Genl Hunter, entered the Combahee river in South Carolina, ~~and~~ seized, and carried away a large number of negro slaves from several large plantations on that stream. My present object, however, is not to enter upon a discussion touching that species of pillaging, but to acquaint you formally that more than one of the large plantations, thus pillaged & ravaged, were otherwise and further pillaged, and their private dwellings, ware-houses and other buildings wantonly consumed by the torch. All this, be it observed, rendered necessary by no military exigency; that is with no possible view to the destruction of that which was being used for military purposes, either of offence or defence, or in near vicinage to batteries or works occupied by your adversary, or which, if left standing could endanger or, in any military way, affect the safety of your forces,

or of obstruct your operations, or either present or future, and, finally, the owners of which were men not even bearing arms in this war.

A day or two later another expedition burned about two-thirds of the village of Bluffton, a summer resort of the planters of the sea-coast of South Carolina, an undefended and indefensible place. The best houses were selected for destruction, and for the act no possible provocation may be truthfully alleged.

Later yet - the 11<sup>th</sup> of June - the village of Darien, in the State of Georgia, was laid waste by your soldiers, and every building in it burned to the ground <sup>except</sup> ~~but~~ one Church and three small houses. There, as at Bluffton, no defence having been made, or any act of provocation previously committed, either by the owners of the devastated place, or by the soldiery of the Confederate States, there or in any part of the Department.

Again, as far back as the last of March, when evacuating Jacksonville, in East Florida, your troops set on fire and destroyed the larger part of that town, including several churches, not ostensibly to cover their embarkation, but merely as a measure of vindictive and illegitimate hostility.

You have of course the right to seize and

hold our towns and districts of Country, if able to do so - that is, to exercise for the time the privilege of the eminent domain; but not to savage and destroy the houses or other property of the individuals of the Country - The "eminent domain" & the property of the Government are legitimate objects of Conquest, but private property and houses, movable and immovable, are not. You may appropriate the spoils of the battle field, or the booty of a camp, which you have captured - or even, in extreme cases when aggravated by an improper defence, may sack a town or city carried by storm. But the pillage of the open Country and of undefended places, has long ago been given up as a usage or legitimate measure of war. At most contributions can be levied upon and collected of the people, and these even, says Vattel, must be moderate, if the General who resorts to them wishes to "enjoy an unsullied reputation" and "escape the reproach of cruelty and inhumanity."

You may, indeed, waste and destroy provisions and forage which you cannot carry away, and which, if left, would materially assist the operations of your enemy. But Vattel prescribes that even this must be done "with moderation and according to the exigency of the case. Those who tear up the vines & cut down the fruit-

traits, are looked upon as savage barbarians - unless they do it with a view to furnish the enemy ~~the~~ for some gross violation of the laws of Nations.

You cannot legitimately devastate and destroy by fire, or savage the country of your enemy, except under the stress of ~~strict~~ necessity - that is, as measures of retaliation for a brutal war - ~~done~~ on his part. If you do so without an absolute necessity, such conduct is reprobated as the "result of hatred and fury" - "savage and monstrous excess," Vattel terms it.

Ravaging and burning private property are acts of "licentiousness" unauthorized by the laws of war, and the belligerent who wages war in that manner must justly - says Vattel - be regarded as carrying on war, like a "ferocious barbarian."

The pillage and destruction of towns, the devastation of the open country, setting fire to houses, the same Publicist expressly declares to be measures "no less odious and detestable" when done "without absolute necessity." This, Vattel expressly says, is equally applicable to the operations of a Civil War, "the parties to which, are bound to observe the Common Laws of War." Even the Duke of Alva was finally forced to respect these laws of war, in his conduct towards the Confederates in the Netherlands."

Wharton is no less explicit than Vattel on all these points. He declares that private property or land can only be taken in special cases; that is, when captured in the field or in besieged places and towns, or as military contributions levied upon the inhabitants of hostile territory. (See page 393, Law of Nations).

The pages of the American publicist furnish the most striking condemnation of the acts of your soldiers on the Combahee, and at Jacks Mill, Bluffton and Haien, in connexion with the burning by the British of Harrode-grace, in 1813, the devastations of Lord Cochrane, on the coast of <sup>the</sup> Chesapeake Bay, and in relation to some excesses of the troops of the United States in Canada.

The destruction of Harrode-grace was characterized by at the time by the Cabinet, at Washington, as "manifestly contrary to the usages of civilized warfare." That village, we are told, was ravaged and burned, to the astonishment of its unarmed inhabitants, at seeing that they derived no protection to their property from the Laws of War.

Further, the burning of the village of Newark, in Canada, and near Fort George, by the troops of the United States, in 1813, though defended as legitimate by the officers who did it, on the score of military necessity,

yet the act was earnestly disapproved and repudiated by the Government of the United States of that day. So, too, was the burning of Long Point, concerning which a military investigation was instituted. And for the destruction of St. David's, by stragglers, the officer who commanded on that occasion was dismissed the service, without trial, for permitting it. (Wharton on the Law of Nations, page 399.)

The Government of the United States, then, under the inspiration of Southern Statesmen, declared: that it "owed to itself, and to the principles it ever held sacred, to disavow any such wanton cruel & unjustifiable warfare," which it further denounced, as "revolting to humanity, and repugnant to the sentiments and usages of the civilized world."

I shall now remark, that these violations of long and thoroughly established laws of war, may be chiefly attributed to the species of persons employed by your predecessor in command, in these expeditions, and should have been anticipated in view of the lessons of History - that is, negroes, for the most part, either fugitive slaves, or who had been carried away from their Master's plantations. So apparent are the atrocious consequences which have ever resulted from the

employment of a merciless servile race as soldiers, that Napoleon, when invading Russia, refused to receive or employ against the Russian Government and Army, the Russian Serfs, who were told - were ready on all sides to flock to his Standard, if he would enfranchise them. He was actuated, he declared, by a horror of the inevitable consequences which would result from a servile war. This course, one of your Authors, Ad. both, contracts to the prejudice of Great Britain in the war of 1812, with the United States, in the course of which were employed "the tomahawk and the scalping-knife of the Savage" by some British Commanders.

In conclusion, it is my duty to inquire whether the acts which resulted in the burning of the defenceless villages of Barrin and Bluffton, and the ravages on the Combahee, are regarded by you as legitimate measures of war, which you will feel authorized to resist to hereafter?

I enclose two newspaper accounts copied from the journals of the United States, giving relations of the transactions in question.

Respectfully, General,  
Your Obedt. Servt.

J. T. Beauregard,  
Genl. Comdr.

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